

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicants: Hitoshi MATSUMOTO <i>et al.</i> | Atty. Docket No.: VX012397 PCT |
| Application No.: 10/019,402 | Art Unit: 1614 |
| Filed: December 28, 2001 | Examiner: Donna A. Jagoe |
| Title: COMPOSITION FOR FOODS, PROCESS FOR PRODUCING THE SAME, AND FUNCTIONAL FOODS SAME | Confirmation No.: 3876 |

Commissioner for Patents
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Date: September 3, 2009

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SUBSTITUTE RESPONSE AFTER FINAL UNDER 37 C.F.R. § 1.116

Dear Sir:

The present application is on appeal to the Board of Patent Appeals and Interferences. Applicants filed a Brief on March 12, 2009. Applicants submit the following amendments and remarks in response to the Final Office Action mailed March 11, 2008. The following amendments and remarks replace those set forth in the Response after Final under 37 C.F.R. §1.116 filed August 11, 2008. **DO NOT ENTER the amendments to the claims in the Response after Final under 37 C.F.R. §1.116 that was filed on August 11, 2008 and which the Examiner did not approve for entry.**

Amendments to the claims appear in the Listing of Claims that begins on page 2 of this paper.

Remarks begin on page 4 of this paper.